IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No.27187 of 2008
JALAY ALAM
Versus
STATE OF BIHAR

3/ 03.09.2008 Heard.

Petitioner, Jalay Alam, is an accused in a case instituted under sections 20, 22 and 23 of the Narcotic Drugs & Psychotropic Substance Act.

There is allegation against him that he along with others were going on a Jeep but the Jeep met with an accident and thereafter the petitioner and two others started running away leaving the Jeep. On suspicion, they were chased and the petitioner was arrested and on search of Jeep two quintals of Ganja was recovered.

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It has been submitted by the learned advocate of the petitioner that para 67 of the case diary will show that one Munna Pandey was the main smuggler and one Guddu Mian was the driver of Munna Pandey, who had engaged him for carrying Ganja from Nepal. Learned advocate further submitted that para 67 will further show that the petitioner, who is a very poor man, was engaged as labourer to assist the above two persons. Learned advocate further submitted that

the petitioner has got no criminal antecedent. It has further been submitted by the learned advocate that out of ten witnesses eight witnesses have already been examined and most of the witnesses were declared hostile.

Since there is allegation that two quintals of Ganja was recovered from the Jeep on which the petitioner and two others were traveling, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of bail of the petitioner is against rejected with direction to the trial court to conclude the trial as soon as possible as it has been submitted that only Investigating Officer and two Dafardars are left out for examination.

If the trial of the petitioner is not concluded within six months from the date of receipt/production of a copy of this order, the petitioner will be at liberty to renew his prayer for bail.

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JA/- **(Syed Md. Mahfooz Alam, J.)**